

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 14019 of 2007(R)

PETITIONER:

THAYYIL AHAMMED MUSTAFFA,
S/O.MUHAMMED HAJI, AGED 39 YEARS,
PROPRIETOR, M/S.RAINBOW COLOR LAB,
T.B.ROAD, PALAKKAD.

BY ADV. SRI.SHOBY K.FRANCIS

RESPONDENTS:

1. TAHSILDAR (R.R),
REVENUE RECOVERY OFFICE,
PALAKKAD.
2. VILLAGE OFFICER, PALAKKAD I,
VILLAGE OFFICE, PALAKKAD.
3. SYNDICATE BANK, T.B.ROAD BRANCH,
PALAKKAD.

R3 BY ADV. SRI.R.S.KALKURA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF AUCTION NOTICE DT.12.4.2007 ISSUED BY R1.

P2: TRUE COPY OF NOTICE ISSUED TO KAICHIT HOLDER DT.21.4.2007 BY R2.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.14019 of 2007
.....

Dated this the 2nd day of July, 2007.

JUDGMENT

Counsel for the third respondent-Bank submitted that this is the 5th writ petition filed by the petitioner challenging proceedings for recovery of the same loan arrears. The petitioner has not complied with directions issued by this court in the earlier cases in regard to payment, whether part or instalments. Even in this case, condition in the interim order dated 2.5.2007 is not complied with and therefore, vide order dated 7.6.2007 stay was vacated. I do not think petitioner should be permitted to engage in perpetual litigation in the same matter. The W.P. is therefore dismissed leaving freedom to the respondents to proceed for recovery.

C.N.RAMACHANDRAN NAIR
Judge

pms